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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/524,992	02/18/2005	Andrea Notari	NL 020760	3942

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

WILLIAMS, JOSEPH L

ART UNIT	PAPER NUMBER
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2879

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/524,992

Applicant(s)

NOTARI ET AL.

Examiner

Joseph L. Williams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☒ Claim(s) 4 and 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 4 and 5 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Regarding claim 4, claim refers back to itself, and therefore does not further limit a claim. Claim 5 is included due to its dependency to claim 4.

Appropriate correction is required.

For the purpose of this rejection, it is assumed that claim 4 is dependent upon claim 2.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Lejon (US 3,800,072), of record by Applicant.

Regarding claim 1, Lejon ('072) teaches in figures 3 and 6, and the corresponding column and line numbers, 1 a cathode ray tube (no number) of the index type, the tube comprising a gun (17) for generating an electron beam (no number), deflection means (14, 16)) for deflecting the electron beam (no number) across an inner surface of a screen (1), the inner surface of the screen being provided with phosphor elements (2, 3) for generating light when being excited by the electron beam (no number), a tracking structure (A) provided at the inner surface of the screen (1) for deriving a positioning signal (72) corresponding to the position of the beam on the screen, the tracking structure comprising tracking elements (69-71) extending substantially parallel to each other, the tracking elements (69-71) being positioned such that each phosphor element (2, 3) is flanked by two tracking elements, wherein a subset of the tracking elements (69-71) have gaps (no number, but the spaces between 67-68, 69-70, and 70-71 of figure 6) for deriving an additional positioning signal for positioning the electron beam.

Regarding claim 2, Lejon ('072) teaches gaps (no number, but the spaces between 67-68, 69-70, and 70-71 of figure 6) of m adjacent phosphor elements form a first column (no number) and gaps (no number, but the spaces between 67-68, 69-70, and 70-71 of figure 6) of n adjacent phosphor elements form a second column (no number), both columns extending in a direction perpendicular to the tracking elements

(69-71), the first and the second column being positioned adjacent to each other (via the space where the number (73) is located in figure 6).

Regarding claim 4, Lejon ('072) teaches the first and second columns form a T-structure (with an indentation (70)) and the inner surface of the screen is provided with a set of T-structures that are distributed over the screen according to the positions of an x by y matrix.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lejon (US 3,800,072), of record by Applicant.

Regarding claim 3, Lejon ('072) teaches all of the claimed limitations (including the first and second columns positioned symmetrically with respect to each other) except for the claimed number gaps. However, in column 15, line 34 through column 16, line 60 it is clear that the size of the screen determines how many gaps are present. Therefore, the number of gaps is an obvious choice in design, based upon the size of the screen.

Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the tracking structure of Lejon for the purpose of improving the quality of the displayed image. The, the number of gaps is an obvious choice in design, based upon the size of the screen.

Regarding claim 5, Lejon ('072) teaches all of the claimed limitations except for the claimed matrix number (read gaps). However, in column 15, line 34 through column 16, line 60 it is clear that the size of the screen determines how many gaps are present. Therefore, the number of gaps is an obvious choice in design, based upon the size of the screen.

Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the tracking structure of Lejon for the purpose of improving the quality of the displayed image. The, the number of gaps is an obvious choice in design, based upon the size of the screen.

Contact Information

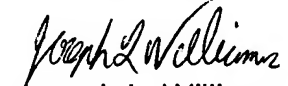
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Williams whose telephone number is (571) 272-2465. The examiner can normally be reached on M-F (6:30 AM-3:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system; call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Joseph L. Williams
Primary Examiner
Art Unit 2879